IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s):	David L. Salgado	CONF. No.:	5473
SERIAL NO.:	09/448,804	ART UNIT:	2164
FILING DATE:	11/24/1999	EXAMINER:	Pannala, Sathyanaraya R.
TITLE:	METHOD AND APPARATUS FOR MANAGING SOFTWARE COPYRIGHT YEARS IN A MULTIPLE PLATFORM ELECTRONIC REPROGRAPHICS SYSTEM		
ATTORNEY DOCKET NO.:	690-008859-US (PAR)		

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REQUEST FOR PRE-APPEAL
BRIEF CONFERENCE REVIEW

Applicant respectfully requests the review of clear errors made with respect to the rejection of claims 1-30.

Claim 1 recites "...embodied on a computer readable medium...". In the Final rejection, the Examiner has cited, Fujiwara, column 1, lines 20-23, as disclosing this feature. However, it is respectfully submitted that there is absolutely no disclosure of a computer readable medium there.

In the Advisory Action, the Examiner has cited element 240 as disclosing this element. However, Fig. 2 discloses that memory 240 works with memories 220 and 230. Therefore, the system is not embodied on a computer readable medium as recited in claim 1.

Claim 1 recites "...a system manager; and at least one platform controller coupled to the system manager...". The Examiner has cited column 1, lines 29-31, for this feature. While programs are

disclosed which control computer systems, there is no disclosure of a system manager or a platform controller.

In the Advisory Action the Examiner cites Col. 1, 11. 20-23, as disclosing this feature. However, these lines do not disclose anything about the recited limitations.

Claim 1 further recites "...the system manager configured to: collect attribute data including copyright data pertaining to software from each platform controller...". The Examiner has cited Figure 4 and column 6, lines 15-16 and 22-24, for this feature. It is respectfully submitted that the claimed feature is not disclosed since "possess" is not the same as "collect".

In the Advisory Action the Examiner equates "selecting" with the claimed "collecting". It is respectfully submitted that "collecting" implies gathering while "selecting" means picking out.

Claim 1 also recites "...recognize the copyright data in the attribute data...". The Examiner cites Figure 4, column 6, lines 28-31, and column 10, lines 3-6. While copyright notice is mentioned, there is no recognition of such notice disclosed.

Claim 1 further recites "...process the copyright data into a list of copyright data for the system...". The Examiner again cites column 10, lines 3-6. However, there is no disclosure of the claimed list therein.

Claim 1 also recites "...a user interface connected to the system manager for displaying the collected attribute data in the list to a user." The Examiner has cited Figure 3; and column 6, lines 51-53. However, all that is disclosed therein is that details of the individual software programs included in client registries 355 can be viewed and accessed. This is not the same as the "list" of "copyright data" that is collected recognized and processed as claimed by Applicant.

At least for these reasons, Applicants submit that Fujiwara does not anticipate independent claim 1 and dependent claim 2.

The combination of Fujiwara and Teare fails to disclose or suggest the recited "collecting" step of claims 3 and 12. While Teare does disclose "polling", this is not the same as "collecting". In the Advisory Action the Examiner states that the terms are equivalent given their broadest

reasonable interpretation. However, this must be consistent with the disclosure of how one of ordinary skill in the art would interpret the terms, see MPEP 2111; *In re Cartright*, 49 USPQ2d 1464, 1468. Further, since the objects of Fujiwara and Teare are so different, it is not obvious to combine them.

Claim 4 recites polling during power on. The Examiner cites Figure 7 and column 6, lines 1-3, of Teare for this feature. However, there is no such disclosure therein. Apparently, the Examiner is referring to column 5, lines 10-12, However, also there is no such disclosure therein. For this additional reason, claim 4 is patentable.
Therefore, the combination of Fujiwara and Teare fails to render claims 3-7, 9-13, 15-19 and 21 unpatentable.

Applicants respectfully submit that claims 8, 14 and 20 are patentable over the combination of Fujiwara, Teare and Saito et al. (US 2002/073035, "Saito") under 35 USC 103(a).

The combination of Fujiwara, Teare and Saito fails to disclose or suggest the above-discussed and claimed limitations.
Therefore, the combination of Fujiwara, Teare and Saito fails to render claims 8, 14 and 20 unpatentable.
The above issues are clear error correctable by Pre-Appeal Conference Review. It is requested that the application be returned for further prosecution prior to appeal.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

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Date

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